



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 793 OF 2025

Mr. Bhawani Prasad Mishra & Anr.

Vs.

State of Maharashtra & Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Y.A. Kullarwar, Advocate for the Petitioners.
Mr. D.V. Chauhan, Sr. Advocate/G.P. with Mr. K.R Lule, APP for
Respondent Nos.1 & 2/State.
Mr. V.M. Gadkari, Advocate for Respondent No.3.
Mr. R.L. Khaparde, Advocate for Respondent No.4.
Mr. S.P. Bhandarkar, Advocate for Respondent No.5.

CORAM : ANIL L. PANSARE AND RAJ D. WAKODE, JJ.

DATE : 25th NOVEMBER, 2025.

The issue involved is covered by our order dated 20th November, 2025 passed in ***Criminal Writ Petition No.321/2025 (Kartik Yogeshwar Chatur Vs. Union of India & Ors. with connected matters)***, wherein we have held that Investigating Agency has no power of attachment/debit freezing a Bank Account under Section 106 of the BNSS. We have further clarified that Investigating Agency may proceed in terms of Section 107 of the BNSS to debit freeze or attach a Bank Account.

2. In view of above and for the reasons set out in the aforesaid order, we allow the petition. The communication dated 16th September, 2025 (Annexure-E) issued by Investigating Officer to respondent No.3 - Bank to debit freeze the Bank Accounts is quashed and set aside.

3. The petition is disposed of in terms of above.

(RAJ. D. WAKODE, J.)

(ANIL L. PANSARE, J.)

Vijaykumar